

Doc

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL  
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

10/754,174

Filing Date

January 9, 2004

First Named Inventor

Lilip Lau

Art Unit

3736

Examiner Name

Nikita R. Veniaminov

Attorney Docket Number

PARCR 66327

## ENCLOSURES (Check all that apply)



Fee Transmittal Form



Fee Attached



Amendment / Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)

Response to Missing Parts/  
Incomplete ApplicationReply to Missing Parts under  
37 CFR 1.52 or 1.53

Drawing(s)



Licensing-related Papers



Petition

Petition to Convert to a  
Provisional ApplicationPower of Attorney, Revocation  
Change of Correspondence Address

Terminal Disclaimer



Request for Refund



CD, Number of CD(s) \_\_\_\_\_

☐ Landscape Table on CDAfter Allowance Communication  
to TCAppeal Communication to Board  
of Appeals and InterferencesAppeal Communication to TC  
(Appeal Notice, Brief, Reply

Proprietary Information



Status Letter

Other Enclosure(s) (please  
identify below):

Postcard

Remarks

24201

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

FULWIDER PATTON LEE &amp; UTECHT, LLP

Signature

*John Nagy*

Printed name

JOHN S. NAGY, ESQ.

Date

July 29, 2005

Reg. No.

30,664

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

Signature

*John Nagy*

Typed or printed name

JOHN S. NAGY, ESQ.

Date

July 29, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Doc Code:

AUG 02 2005

PTO/SB/17 (12-04v2)

Approved for use through 07/31/2006. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 2646) on 12/08/2004.

# FEE TRANSMITTAL for FY 2005

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) \$110.00

## Complete if Known

Application Number	10/754,174
Filing Date	January 9, 2004
First Named Inventor	Lilip Lau
Examiner Name	Nikita R Veniaminov
Art Unit	3736
Attorney Docket No.	PARCR 66327

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):☐ Deposit Deposit Account Number: 06-2425 Deposit Account Name: FULWIDER PATTON

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or any underpayment of fee(s) under 37 CFR 1.16 and 1.17☒ Credit any overpayments

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## FEE CALCULATION

## 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid(\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

## 2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra	Fee (\$)	Fee Paid (\$)
- 20 or HP =	x	\$25.00	= \$0.00

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra	Fee (\$)	Fee Paid (\$)
- 3 or HP =	x	\$43.00	= \$0.00

HP = highest number of independent claims paid for, if greater than 3.

## 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listing under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	0	0	x \$125.00	= \$0.00

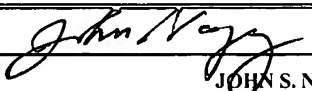
## 4. OTHER FEE(S)

Non-English specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Terminal Disclaimer

\$110.00

## SUBMITTED BY

Signature		Registration No. (Attorney/Agent)	30,664	Telephone	(310) 824-5555
Name (Print/Type)	JOHN S. NAGY, ESQ.		Date	July 29, 2005	

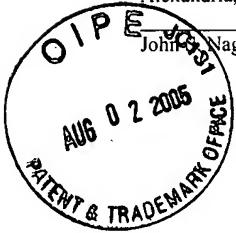
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CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

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John Nagy, Reg. No. 30,664



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/754,174  
Applicant : Lilip Lau, William Hartigan, Anuja Patel  
Filed : January 9, 2004  
Art Unit : 3736  
Examiner : Nikita R. Veniaminov  
Title : DEVICE FOR TREATING HEART FAILURE

Docket No.: : PARCR 66327  
Customer No. : 24201

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER

Dear Sir:

This Terminal Disclaimer is submitted pursuant to a Notice of Non-Compliant Amendment Under 37 C.F.R. § 1.111 mailed by the Patent Office on July 22, 2005 to which a response is due August 22, 2005.

The owner, Paracor Medical, Inc. ("Paracor"), of the entire interest in the instant application hereby disclaims, except as provided below, the terminal part of any patent granted on the instant application, which would extend beyond the expiration date of co-pending U.S. Serial No. 10/754,264 filed January 9, 2004 and U.S. Patent No. 6,723,041 filed on September 10, 2002, as shortened by any terminal disclaimer. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for

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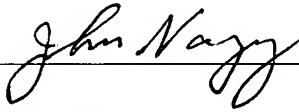
Rep'n. Ref: 08/03/2005 HBERHE 0023150700  
DAB:062425 Name/Number:10754174  
FC: 9204 \$45.00 CR

and during such period that it and the above-listed application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors, or assigns.

The required fee in accordance with 37 C.F.R. § 1.20(d), in the amount of \$110 is enclosed to cover the disclaimer. Please charge any additional fees or credit any overpayment to Deposit Account No. 06-2425. The undersigned is an attorney of record.

Respectfully submitted,

FULWIDER PATTON LEE & UTECHT, LLP

By:   
John S. Nagy  
Registration No. 30,664

JSN:jeb

Howard Hughes Center  
6060 Center Drive, Tenth Floor  
Los Angeles, CA 90045  
Telephone: (310) 824-5555  
Facsimile: (310) 824-9696  
Customer No. 24201  
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